

SIKKIM

GOVERNMENT GAZETTE



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GOVERNMENT OF SIKKIM
FORESTS, ENVIRONMENT AND WILDLIFE MANAGEMENT DEPARTMENT

No.81/GOS/FEWMD

Dated: 20.04.2010

NOTIFICATION

WHEREAS, the State of Sikkim has got number of rivers and streams across the State which are getting polluted from pollutants flowing out of towns, industries and major hydro-electric projects and siltation of the river system;

AND WHEREAS, the rivers of Sikkim are important source of drinking water of local people, agriculture, cultural heritage, fisheries, offering livelihood ecotourism and power generation;

AND WHEREAS, the pollution of rivers has a deleterious impact on the fragile river eco-system, aquatic life, health of people, wild animals, vegetation, ecotourism and over all environment;

NOW THEREFORE, as per the directives of the Ministry of Environment and forests, New Delhi, the State Government hereby constitutes the State River Conservation Authority for taking measures for effective abatement of pollution and keeping the rivers clean and safe in the State of Sikkim. The composition, powers, duties of the Authority shall be as given below:-

1. Name of the Authority:

The authority so constituted by the State Government shall be known as **State River Conservation Authority** (herein after referred to as "the Authority")

2. Headquarters of the Authority:

The headquarters of the Authority shall be at Gangtok, Sikkim.

3. Composition of the Authority:

The Authority shall consists of the following members namely:-

- (a) Chief Minister – ex officio Chairperson
- (b) Minister, Environment and Forests- ex officio Member
- (c) Minister, Finance- ex officio Member
- (d) Minister, Urban Development-ex officio Member
- (e) Minister, Water Resources/ Irrigation-ex officio Member
- (f) Chief Secretary-Member- Secretary

Provided that the Authority may co-opt one or more Ministers of the State Government as may be required, as ex officio Member;

Provided also that the Authority may also co-opt upto five members who are experts in the fields of river conservation, hydrology, environment engineering, social mobilization and such other fields.

4. Powers and Functions of the Authority-

- (1) Subject to the provisions of the Environment (Protection) Act 1986, the Authority shall have the power to take all such measures and discharge functions as it deems necessary or expedient for effective abatement of pollution and conservation of the rivers of the State and for implementing the mandate of the State River Conservation Authority.
- (2) In particular, and without prejudice to the generality of the provisions of sub- paragraph (1), such measures may include measures with respect to all or any of the following matters, namely;-
 - (a) coordination and implementation of the river conservation activities including augmentation of sewerage infrastructure, catchment area treatment, protection of flood plains, creating public awareness and such other measures at the State level and regulation of activities aimed at the prevention, control and abatement of pollution in the rivers of the State to maintain water quality, and to take such other measures to river ecology and management in the State;
 - (b) implementation of the river basin management plan prepared by the State River Conservation Authority;
 - (c) maintenance of minimum ecological flows in the rivers of the State with the aim of ensuring water quality and environmentally sustainable development through implementing water conservation practices including recycling and reuse, rain water harvesting, and decentralized sewage treatment systems and promoting water augmentation by storage projects in the catchment;
 - (d) monitoring and review of the implementing of various programme or activities taken up by the implementing agencies for prevention, control and abatement of pollution in the rivers of the State;
 - (e) address issues related to land acquisition, encroachments, contracts, power supply and other such issues for the purpose of implementing the mandate of the Authority;
 - (f) power of entry and inspection under section 10 of the said Act and power to take sample under section 11 of the said Act for the purpose of exercising and performing the functions of the Authority;
 - (g) power to resort to the penal provisions contained in sections 15 to 21 of the said Act for the purpose of exercising and performing all or any of the above functions; and
 - (h) issuance of directions under section 5 of the said Act for the purpose of exercising and performing all or any of the above functions and to take such other measures as the Authority deems necessary or expedient for achievement of its objectives;
- (3) The powers and functions of the Authority shall be consistent with the provisions of the Environment (protection) Act, 1986 (29 of 1986).

5. APPOINTMENT OF OFFICERS AND THEIR POWERS AND FUNCTIONS.

The Authority may appoint officer or officers with such designation as it think fit for the purpose and may entrust to them such powers and functions under this Authority as it may deem fit.

6. Meetings of the Authority:

The Authority may regulate its own procedures for transacting its business including its meetings.

7. Jurisdiction of Authority:

The jurisdiction of the Authority shall extent to the entire State of Sikkim.

8. Monitoring of effective abatement of pollution and conservation of rivers of the State:

The Authority may evolve its own mechanism for monitoring of effective abatement of pollution and conservation of the rivers of the State

9. Administration and technical support to the Authority:

The Authority shall be provided administrative and technical support by the State Government in the Department of Forests and Environment, which shall be the nodal Department. The said Authority shall provide all financial and logistic support and such other facilities in respect of all its statutory functions.

10. State Executive Committee:

With the view to assist the said Authority, the State Government hereby constitutes the State Executive Committee (hereinafter referred to as "SEC") with such powers and functions as deemed necessary for implementation of Authority's decisions. It shall comprise of the following members, namely:-

- (a) Chief Secretary – ex officio Chairperson
- (b) Secretary, Environment and Forests-ex officio Member
- (c) Secretary, Finance-ex officio Member
- (d) Secretary, Urban Development-ex officio Member
- (e) Secretary, Water Resources/ Irrigation-ex officio Member
- (f) Chairman, State Pollution Control Board- ex officio Member
- (g) Engineer-in-Chief/ Managing Director,
Project Implementing Agency-ex officio Member
- (h) Engineer-in-Chief, Irrigation Department-ex officio Member
- (i) Upto 5 experts from relevant fields
Nominated by the State Government Member
- (j) Secretary Forests & Environment-ex officio Member Secretary

11. Powers and functions of the State Executive Committee:

The State Executive Committee shall oversee and monitor the implementation of various programmes/projects of the Authority and give necessary directions to the implementing agencies. It would report to the said Authority the progress of implementation and seek its directions. The SEC shall convene its meeting at least once in three months.

12. Delegation of Powers:

The Member Secretary of the SEC shall exercise powers of the Authority on its behalf for the purpose of performing the functions of the Authority on its behalf.

By order and in the name of the Governor.

**T.T.Dorjee, IAS
Chief Secretary,
Government of Sikkim.**

